



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(DOCKET NO.: 05-037)

In re the Application of:

Charles Henry Horn, et al.

Serial No.: 10/521,847

Filed: January 18, 2005

For: Megasphaera Elsdenii Strain And Its Uses

Group Art Unit: Unassigned

Examiner: Unassigned.

Commissioner for Patents
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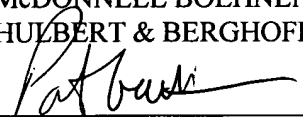
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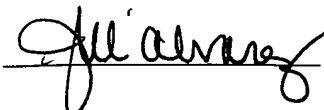
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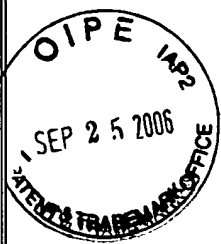
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FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 05-037	Serial No. 10/521,847
 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: Horn, et al	
		Filing Date: November 23, 2005	Group:

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Yes No
	WO 91/13146-A1	09-05-1991	WO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	Allison, M.J., et al., <i>Ruminal changes after overfeeding with wheat and the effect of intraruminal inoculation on adaptation to a ration containing wheat</i> , J. Anim Sci., 23:1164-1170 (1964).
	Braun, U., et al., <i>Ruminal tactic acidosis in sheep and goats</i> . The Veterinary Record, 130:343-349 (1992).
	Dawson, K.A., et al., <i>Digestive disorders and nutritional toxicity</i> , In The Rumen Microbial Ecosystem, pp. 445-459 (1988).
	Kung, L., et al., <i>Preventing in vitro Lactate Accumulation In Ruminal Fermentations By Inoculation With Megasphaera elsdenii</i> , J. Anim Sci., 73:250-256 (1995).
	Lederberg, J., et al., <i>Replica plating and indirect selection of bacterial mutants</i> , J. Bact. 63:399-406 (1952).
	Mackie, R.I., et al., <i>Microbiological and chemical changes in the rumen during the stepwise adaptation of sheep to high concentrate diets</i> , J. Agric Sc. Camb, 90:241-254 (1978).
	Mackie, R.I., et al., <i>An in vivo study of ruminal micro-organisms influencing lactate turnover and its contribution to volatile fatty acid production.</i> , J. Agric Sc. Camb, 103:37-51 (1984).
	Mackie, R.I., et al., <i>Changes in Lactate-Producing and Lactate-Utilizing Bacteria in Relation to pH in the rumen of Sheep During Stepwise Adaptation to a High-Concentrate Diet</i> , Appl Environ Microbiol, 38:422-430 (1979).
	Mackie, R.I., et al., <i>Enumeration and Isolation of Lactate-Utilizing Bacteria from the Rumen of Sheep</i> , Appl Environ Microbiol, 38:416-421 (1979).
	Marounek, M., et al., <i>Metabolism and Some Characteristics of Ruminal Strains of Megasphaera elsdenii</i> , Appl Environ Microbiol, 55:1570-1573 (1989).
	Olumeyan, D.B., et al., <i>Rumen Microbial Changes in Cattle Fed Diets With or Without Salinomycin</i> , Appl Environ Microbiol, 51:340-345 (1986).

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: Hom, et al Filing Date: November 23, 2005	
		Group:	

	Robinson, J.A., <i>et al.</i> , <i>Prevention of acute acidosis and enhancement of feed intake in the bovine by Megasphaera elsdenii</i> , J. Anim Sci, 70:310 (abstract) (1992).
	Russell, J.B., <i>et al.</i> , <i>Substrate Preferences in Rumen Bacteria: Evidence of Catabolite Regulatory Mechanisms</i> . Appl. Environ Microbiol, 36:319-329 (1978).
	Slyter, LL., <i>Influence of acidosis on rumen function</i> , J. Anim Sci, 43:910-929 (1976).
	Therion, J.J., <i>et al.</i> , <i>Effect of pH on Growth Rates of Rumen Amylolytic and Lactilytic Bacteria.</i> , Appl Environ Microbiol, 44:428-434 (1982).
	Van Gylswyk, N.O., <i>Enumeration and presumptive identification of some functional groups of bacteria in the rumen of dairy cows fed grass silage-based diets</i> , FEMS Microbiol Ecol, 73:243-254 (1990).
	Wirayawan, K.G., <i>et al.</i> , <i>Probiotic control of lactate accumulation in acutely grain-fed sheep</i> , Aust J Agric Res, 46:1555-1568 (1995).
	Donovan, J., <i>Subacute acidosis is costing us millions</i> , Hoards Dairyman, page 666, September 25 (1997).
	Hutjens, M.F., <i>How and when feed additives may or may not pay</i> , Hoards, Dairyman, September 25 (1999).
	Kelly, E.R., <i>et al.</i> , <i>Lameness in Dairy Cattle and the Type of Concentrates Given</i> , Anim Prod 51:221 (1990).
	Manson, R.J., <i>et al.</i> , <i>The Influence of Concentrate Amount on Locomotion and Clinical Lameness In Dairy Cattle</i> , Anim Prod. 47:185-190 (1988).
	Nocek, H.E., <i>Bovine Acidosis: Implication on Laminitis</i> , J. Dairy Sci, 80:1005-1028 (1997).
	Brosius, J., <i>et al.</i> , <i>Complete nucleotide sequence of 16S ribosomal RNA gene from Escherichia coli</i> , Proc. Natl. Acad. Sci, 75:4801-4805 (1978).
	Dorsch, M., <i>et al.</i> , <i>Some modifications in the procedure of direct sequencing of PCR amplified 16S rDNA</i> , J. Microbiol. Methods, 16:271-279 (1992).
	Elsden, S.R., <i>et al.</i> , <i>The Production of Fatty Acids by a Gram-negative Coccus</i> , Biochem, J., 55:183-189 (1953).
	Elsden, S.R., <i>et al.</i> , <i>Properties of a Fatty Acid Forming Organism Isolated From The Rumen of Sheep</i> , J. Bacteriol. 72:681-689 (1956).
	Engelmann, U., <i>et al.</i> , <i>Megasphaera cerevisiae sp. Nov.: A New Gram-negative Obligately Anaerobic Coccus Isolated from Spoiled Beer</i> , Syst App. Microbiol., 6:287-290 (1985).
	Fox, G.E., <i>et al.</i> , <i>How Close is Close: 16S rRNA Sequence Identity May Not Be Sufficient To Guarantee Species Identity.</i> , Int J. Syst Bacteriol., 42:166-170 (1992).
	Lane, D.J., <i>et al.</i> , <i>Rapid determination of 16S ribosomal RNA sequences for phylogenetic analyses</i> , Proc. Natl. Acad. Sci., 82:6955-6959 (1985).
	Rogosa, M., <i>Transfer of Peptostreptococcus elsdenii</i> , Gutierrez et al. to a New Genus, Megasphaera [M. elsdenii (Gutierrez et al.) comb. Nov.], Int. J. Sys. Bacteriol., 21:187-189 (1971).
	Stackebrandt, <i>et al.</i> , <i>The Importance of Using Outgroup Reference Organisms in Phylogenetic Studies: the Atopobium Case</i> , Syst. App. Microbiol, 17:39-43 (1994).
	Stackebrandt, <i>et al.</i> , <i>16S rRNA analyses of Sporomusa, Selenomonas and Megaphaera: on the phylogenetic origin of Gram-positive Eubacteria</i> , Arch. Microbiol, 143:270-276 (1985).
	Stackebrandt, <i>et al.</i> , <i>Partial 16 rRNA primary structure of five Actinomyces species: phylogenetic implications and development of an Actinomyces israelii-specific oligonucleotide probe</i> , Journal of Gen. Microbiology, 136:37-43 (1990).

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		Utaker, Janne, <i>et al.</i> , <i>Pylogenetic Analysis of Seven New Isolates of Ammonia-Oxidizing Bacteria Based on 16s rRNA Gene Sequences</i> , System. Appl. Microbiol, 18:549-559 (1995).
		Van Camp, G.Y., <i>et al.</i> , <i>Structure of 16S and 23S Ribosomal RNA Genes in Campylobacter Species: Phylogenetic Analysis of the Genus Campylobacter and Presence of Internal Transcribed Spacers</i> , System. Appl. Microbiol., 16:361-368 (1993).
		Vandamme, <i>et al.</i> , <i>Polyphasic Taxonomy, a Consensus Approach to Bacterial Systematics</i> , Microbiological Reviews, 60:407-438 (1996).
		Woese, Carl, <i>Bacterial Evolution</i> , Microbiological Reviews, 51:221-271 (1987).
		Haikara, A., <i>The genera Pectinatus and Megasphaera</i> , The Prokaryotes. A handbook on the Biology of Bacteria: Ecophysiology, Isolation, Identification, Application, Second Edition, Vol II, Chapter 91, pp. 1993-2004 (1992). Barlows, A., <i>et al.</i> , Springer-Verology, New York.
		Stackbrandt, E., <i>et al.</i> , <i>Partial and complete 16S rDNA sequences, their use in generation of 16S rDNA phylogenetic trees and their implications in molecular ecological studies</i> , Molecular Microbial Ecology Manual, 3.1.1:1-17 (1995).
		Ouwerkerk, <i>et al.</i> , <i>Enumeration of Megasphaera elsdenii in rumen contents by real-time Taq nuclease assay</i> , Journal of Applied Microbiology, 92:753-758 (2002).
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